

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

May 14, 2015

5:30 P.M.

AGENDA

Present: Mayor James Calnon, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent:

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on April 30, 2015 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending May 6, 2015 in the amount of **\$ 275,993.04** and May 13, 2015 in the amount of **\$ _____** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of April 30 – May 13, 2015
- Report from the Building Inspector's office May 11, 2015
- Statement from the City Clerk's Office of all monies received during the month of April 2015 in the total amount of \$12,797.90
- Report from the Parking Violations Bureau for April 2015

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the weeks ending May 8, 2015 in the amount of \$ 253,607.27 and May 15, 2015 in the amount of \$ _____ are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

6. PERSONS ADDRESSING COUNCIL:

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2015-2 "Electrical Services for WPCP" be awarded to Triangle Electrical Systems, Inc for the total price of \$137,314.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

B. RESOLVED: In accordance with the request therefore the Common Council approves PMLD Bid # 2015-4-1 "Distribution Substation maintenance and relay calibration Addoms, Riverside and Bailey Substations" be awarded to HMT, Inc. for the total amount of \$42,500.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

C. RESOLVED: In accordance with the request therefore the Common Council approves MLD to write-off unpaid final bills from February 1, 2014 to February 28, 2014 in the total amount of \$5,832.99. The percentage of write-offs for this period is .24%.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

D. RESOLVED: In accordance with the request therefore the Common Council approves MLD to advertise for sealed bid for PMLD Bid # 2015-6-1 "Miscellaneous Substation Control Modifications." Bid Opening Date: June 19, 2015 at 1pm.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

E. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise capital project H5110.49, 2015 Equipment Purchase, by reallocating the project spending to include signs and boats for the City Marina, reduce automobile purchases for Recreation and change the equipment purchases for DPW to include a new asphalt roller and exclude an asphalt recycler.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

F. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise capital project H5110.51, 2015 Building Improvements, to increase the

spending to include \$50,000 for DPW building improvements

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

G. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to close the 2014 General Fund Budget by posting the entry submitted for review and budget adjustment approval.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

H. APPROVAL OF ECONOMIC DEVELOPMENT LOAN TO ADIRONDACK INTEGRATIVE WELLNESS, LLC

RESOLVED: The Common Council approves a loan from the Economic Development Revolving Loan Fund to Adirondack Integrative Wellness, LLC in the amount of \$25,000 (twenty-five thousand dollars) on the terms set forth in a report and recommendation from the Lake City LDC Inc. loan underwriting committee dated May 13, 2015, submitted by Bruce Lawson, Director of Community Development, a copy of report is ordered made a part of the minutes of this meeting.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

I. RESOLVED: In accordance with the request therefore the Common Council approves the Mayor to increase the 2015 General Fund Budget by \$3,300.00 for estimated revenue for parking space rentals and by \$3,300.00 for contracted service in Community Development to purchase additional downtown amenities.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

J. ADOPTION OF LOCAL LAW P-1 OF 2015

RESOLVED: Local Law P-1 of 2015 amending Hedge regulation in Chapter 233, Section 11, Paragraphs 2 and 4 of the City Code of the City of Plattsburgh. The entire text of which has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

K. ADOPTION OF LOCAL LAW P-2 OF 2015

RESOLVED: Local Law P-2 of 2015 amending Parking regulation in Chapter 270, Section 25, Paragraph M of the City Code of the City of Plattsburgh. The entire text of which has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

L. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise capital project H8320.73, 2012 WFP Plant Improvements, to include additional funding for a conceptual engineering design for a new intake and drinking water plant.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

M. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2015-7 "Evaluation of New Drinking Water Intake and Treatment Plant" consulting services be awarded to CDM Smith at an estimated amount\$45,000.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

N. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to revise capital project H8130.60, 2014, WPCP Aeration System Upgrades, by adding \$50,000 of funding from the Sewer Capital Reserve to cover the increasing costs of the project.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

O. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2015-5 "WPCP Aeration System Upgrades (Capital Project H8130.60)" be awarded to Motion Industries for the sum of \$117,473.32.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

P. RESOLVED: In accordance with the request therefore the Common Council approves Kate Quinn of the Cystic Fibrosis Foundation to hold the Great Strides Walk at Melissa Penfield Park on Sunday 5/17 at 10am-4pm.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

Q. RESOLVED: In accordance with the request therefore the Common Council approves DaleAnne Wolter to hold a Memorial Walk at Melissa Penfield Park to benefit the Champlain Valley Chapter of the Compassionate Friends on Sunday August 2, 2015 from 8:30am-1pm.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

R. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign South Catherine Street Reconstruction; Supplemental Agreement No. 4, Comptrollers Contract No: D032301, NYSDOT PIN 775314.

WHEREAS, a project for the "**South Catherine Street Reconstruction**," PIN 775314, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal Funds and 20% non-federal funds and;

WHEREAS, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal-aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the City of Plattsburgh desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of "**South Catherine Street Reconstruction**,"

NOW THEREFORE, the City of Plattsburgh Common Council duly convened does hereby:

RESOLVE, that the City of Plattsburgh Common Council hereby approves the above-subject project, and it is here by further

RESOLVED, that the City of Plattsburgh Common Council hereby authorizes the City Chamberlain of the City of Plattsburgh to pay in the first instance 100% the federal and non-federal share of the costs of the **South Catherine Street Reconstruction** work for the Project or portions thereof, and it is further

RESOLVED, that the sum of **\$5,658,130.00** is hereby appropriated by this resolution and made available to cover the cost of participation in the above phases of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share of the project exceeds the amount appropriated above, the City of Plattsburgh Common Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the City Chamberlain thereof, and it is further

RESOLVED, that the Mayor of the City of Plattsburgh be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Plattsburgh, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations thereof are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

S. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign South Catherine Street Reconstruction, Standard Federal Aid Highway Master State Administered Agreement; Comptrollers Contract No: D034982, NYSDOT PIN 775314.

WHEREAS, a project for the "**South Catherine Street Reconstruction**," (the project), PIN 775314, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be born at the ratio of 80% Federal Funds and 20% non-federal funds and;

WHEREAS, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal-aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the City of Plattsburgh desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the "**South Catherine Street Reconstruction**,"

NOW THEREFORE, the City of Plattsburgh Common Council duly convened does hereby:

RESOLVE, that the City of Plattsburgh Common Council hereby approves the above-subject project, and it is here by further

RESOLVED, that the City of Plattsburgh Common Council hereby authorizes the City Chamberlain of the City of Plattsburgh to pay in the first instance 100% the federal and non-federal share of the costs of the **South Catherine Street Reconstruction** work for the Project or portions thereof, and it is further

RESOLVED, that the sum of **\$77,450.00** is hereby appropriated by this resolution and made available to cover the cost of participation in the above phases of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share of the project exceeds the amount appropriated above, the City of Plattsburgh Common Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the City Chamberlain thereof, and it is further

RESOLVED, that the Mayor of the City of Plattsburgh be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Plattsburgh, with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations thereof are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

T. RESOLVED: In accordance with the request therefore the Common Council approves rejecting all bids for Contract # 2014-30 "Pointing and Cleaning Brick at Library Building"

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

U. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2015 Sewer Fund Budget by an increase of \$35,050.00 in the Sanitary Sewer Contracted Services line item with a corresponding entry to appropriate additional Sewer Fund Balance for the same cost.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves City Clerk Travel Requests for 2015.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

9. RESOLUTIONS FOR INITIAL CONSIDERATION: None

10. NEW BUSINESS:

11. CLOSING PUBLIC COMMENTS:

Motion to Adjourn by Councilor _____; Seconded by Councilor _____

Roll call Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

MEETING ADJOURNED: _____